

REMARKS

Claims 1, 13-15, 21, 23, 26, 27, 31-33, 39, 41, 43, 45, 48, 50, 53, 59, 61 and 63 were amended in the Amendment filed on September 8, 2003. This Reply is being filed in order to identify where there is support in the subject specification for the claim amendments.

Claims 1, 13, 33 and 39 were amended to indicate that the retroviral vector comprises a 5' LTR region of the structure U3-R-U5; one or more sequences selected from coding and noncoding sequences; and a 3' LTR region comprising a completely or partially deleted U3 region wherein said deleted U3 region is replaced by a polylinker sequence containing a regulatory element or a promoter, followed by the U5 and R region, characterized in that at least one of the coding sequences is a sequence encoding SDI-1, a functional analogue thereof, or a functional fragment thereof, said SDI-1 sequence encoding a polypeptide with SDI-1 activity of inhibiting cell proliferation and being under transcriptional control of said regulatory element or promoter. Support for the amendment can be found, for example, on page 2, lines 4-18; page 6, lines 8-15; page 27, lines 5-7 and in original Claim 8 of the specification.

Claim 14 was amended to recite an "isolated" producer cell line, in order to provide proper antecedent basis. Support for the amendment can be found, for example, in Claim 13 of the specification.

Claims 15 and 41 were amended to recite a capsule which encapsulates "an isolated producer cell line stably transfected with a retroviral vector comprising a DNA sequence encoding SDI-1, a functional analogue thereof, or a functional fragment thereof, wherein the SDI-1 or functional fragment or functional analogue thereof inhibits cell proliferation, said producer cell line additionally harboring at least one DNA construct coding for the proteins required for said retroviral vector to be packaged. Support for the amendment can be found, for example, on page 2, lines 4-18; page 27, lines 5-7 and original Claims 1 and 13.

Claims 21, 27, 31, 32, 59 and 63 were amended to recite a method of treating a tumor or restenosis in an individual, comprising administering a capsule, a retroviral particle or a producer cell line to the individual at the site of the tumor or the restenosis the capsule. Support for the amendment can be found, for example, on page 8, lines 9 and 16-19 and in original Claim 31 in the specification.

Claims 23 and 61 were amended to recite the method according to Claim 21 wherein the tumor is a breast tumor. Support for the amendment can be found, for example on page 7, line 23 and page 8, lines 16-19 of the specification.

Claims 26, 43, 48 and 53 were amended to recite a method for introducing DNA sequences encoding SDI-1, a functional analogue, or a functional fragment thereof, into human cells in vitro comprising infecting "the human cells" with a retroviral particle produced by a producer cell line, in order to provide antecedent basis. Support for the amendment can be found, for example, page 8, line 2 and original Claim 26 of the specification.

Claim 45 was amended to recite an isolated producer cell stably transfected with a retroviral vector comprising a 5' LTR region of the structure U3-R-U5; one or more sequences selected from coding and noncoding sequences; and a 3' LTR region comprising a completely or partially deleted U3 region wherein said deleted U3 region is replaced by a polylinker sequence containing a regulatory element or a promoter, followed by the U5 and R region, characterized in that at least one of the coding sequences is a sequence encoding amino acids 1-71 of SDI-1, said SDI-1 sequence encoding a polypeptide with SDI-1 activity of inhibiting cell proliferation and being under transcriptional control of said regulatory element or promoter, said producer cell additionally harboring at least one DNA construct coding for the proteins required for said retroviral vector to be packaged. Support for the amendment can be found, for example, on page 2, lines 4-18; page 6, lines 8-15; page 8, lines 24-25; page 27, lines 5-7 and in original Claim 8 of the specification.

Claim 50 was amended to recite an isolated producer cell stably transfected with a retroviral vector comprising a 5' LTR region of the structure U3-R-U5; one or more sequences selected from coding and noncoding sequences; and a 3' LTR region comprising a completely or partially deleted U3 region wherein said deleted U3 region is replaced by a polylinker sequence containing a regulatory element or a promoter, followed by the U5 and R region, characterized in that at least one of the coding sequences is a sequence encoding amino acids 42-58 of SDI-1, said SDI-1 sequence encoding a polypeptide with SDI-1 activity of inhibiting cell proliferation and being under transcriptional control of said regulatory element or promoter, said producer cell additionally harboring at least one DNA construct coding for the proteins required for said retroviral vector to be packaged. Support for the amendment can be found, for example, on page

2, lines 4-18; page 5, lines 25-26; page 6, lines 8-15; page 27, lines 5-7 and in original Claim 8 of the specification.

CONCLUSION

It is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins
Anne J. Collins

Registration No. 40,564

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

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